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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

10   JAMES ANTHONY DAVIS,   )
)
11   Plaintiff,   )   2:10-cv-01934-JCM-LRL
)
12   vs.   )
)   **ORDER**
13   SHERIFF DOUGLAS GILLESPIE, *et al.*,   )
                    Defendants.   )
14   _____/

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16   Plaintiff filed this action pursuant to 42 U.S.C. § 1983. On January 18, 2011, the court

17   issued an order denying plaintiff's application to proceed *in forma pauperis* because he has had "three

     strikes" under 28 U.S.C. § 1915(g) (docket #2).

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            On January 26, 2011, plaintiff filed a handwritten document, not on the court's form, that
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     he called "motion of declaration of request for leave to proceed *in forma pauperis*" (docket #3). He
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     alleges that he fears for his life in prison. Plaintiff is informed–as he has been informed in numerous
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     other actions before this court–that these allegations are unrelated to the complaint in this action and that
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     if he fears imminent serious physical harm he should file a new action setting forth those allegations.
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     Plaintiff's motion is denied.
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            In its January 18, 2011, order, the court directed plaintiff to submit the $350.00 filing fee
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     within thirty (30) days (docket #2). The court expressly warned plaintiff that failure to respond to this
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     court's order would result in dismissal of this action. The order was served on plaintiff at his address

1   of record.

2   More than the allotted time has elapsed and plaintiff has not paid the filing fee.

3   Accordingly, this entire action will be dismissed for failure to comply with the court's order.

4   **IT IS THEREFORE ORDERED** that this action is **DISMISSED without prejudice**

5   for the failure of plaintiff to comply with this court's order to pay the filing fee.

6   **IT IS FURTHER ORDERED** that plaintiff's "motion of declaration of request for leave

7   to proceed *in forma pauperis*" (docket #3) is **DENIED**.

8   **IT IS FURTHER ORDERED** that the clerk shall **ENTER JUDGMENT** accordingly

9   and close this case.

10   DATED this 25th day of February, 2011.

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13   _____
      UNITED STATES DISTRICT JUDGE

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